GOVERNMENT OF INDIA
URBAN DEVELOPMENT AND POVERTY ALLEVATION
LOK SABHA

UNSTARRED QUESTION NO:5369
ANSWERED ON:30.04.2002
TEHBAZARI RIGHTS
PRABHUNATH SINGH

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVATION be pleased to state:

(a): whether the Supreme Court in 1993 verdict, asked the MCD to firstly grant tehbazari rights to those who were squatting between 1970 and 1982;

(b): if so, the details thereof;

(c): whether tehbazari permission was to be given to those who came into business after 1983 subject to availability of space;

(d): if so, the details thereof;

(e): whether these directions of the Supreme Court are in conflict with the PMO`s suggestion of unrestricted number of hawkers;

(f): if so, whether an inexact estimate of number of hawkers has added to the problem and about 6 lakh hawkers are in business without authorisation;

(g): if so, whether in the absence of any ceiling on the number of hawkers, overcrowding and encroachments on public land continue and rise; and

(h): if so, the reaction of the Government to the problem and the steps taken to overcome the congestion and encroachments on the public land?

Answer

MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT & POVERTY ALLEVIATION (SHRI BAN DATTATREYA)

(a): Yes, Sir.

(b): The MCD have informed that 2284 applicants squatting between 1970 to 1982, were found eligible by the Tehbazari Committee/R.C. Chopra Committee set up by the Hon`ble Supreme Court.

(c); Yes, Sir.

(d): As indicated by MCD, 2626 applicants squatting after 1983, werefound eligible by the Tehbazari Committee/R.C.Chopra Committee set up by the Hon`ble Supreme Court.

(e)to(h): It has been informed by MCD that the directionsof Supreme Court are not in conflict with the PMO`s suggestionof unrestricted number of hawkers. The suggestions made by PMO insiston policy reform and to define an alternate regulatory system. The present policy of MCD for issue of Hawking Licenses specifies that applications for grant of hawking licenses shall be entertained only from those persons who had applied under the scheme of Gainda Ram`s case for allotment of 6`x4` open to sky squatting site and whose application has been rejected or if accepted, he has not been handed over physical possession of the allotted site within specified zone.